

**REMARKS**

Responsive to the Office Action dated October 12, 2005, Applicants have, by the foregoing, amended claims 24, 27-31 and 38. Accordingly, remaining in the application is independent claim 24 with its dependent claims 25-32; independent claim 33 with its dependent claims 34-43; and independent claim 44 with its dependent claims 45 and 46.

**In the Claims**

The Office Action indicates that claim 38 is objected to due to various informalities. By the foregoing amendments, claim 38 has been modified to overcome these objections and is believe to be in proper form.

Additionally, the Office Action states that pending claims 24-27 and 29-46 are rejected under 35 U.S.C. §103(a) as being obvious, and therefore unpatentable, over Shono et al. in view of Raad et al. The Office Action also states that claim 28 is obvious based upon these references in further view of Kamopp.

Shono et al. is directed to a system and method for changing vehicle height to reduce noise produced by actuation of the various components of a vehicle suspension system. The system and method include setting various operational flags based upon a comparison of performance conditions of the vehicle, such as longitudinally acceleration and vehicle height, with predetermined operational values. The system and method discuss the use of predetermined acceleration values G1 and G2 with which vehicle acceleration Gx is compared. In summary, the system and method in Shono is fully operative to make height corrections when the vehicle acceleration Gx is below value G1, as discussed beginning at about line 39 in column 6 of Shono. At vehicle acceleration levels between values G1 and G2, the system and method will prevent the start of a vehicle height adjustment routine. However, the performance of any ongoing height adjustment routine is permitted to continue. This is discussed in Shono beginning at about line 35 of column 10.

If the vehicle acceleration exceeds acceleration value G2, the system and method of Shono will prevent the start of any height adjustment routine and suspend any ongoing height changing control. This is discussed beginning in column 10 at about line 58. As set forth in column 11 beginning at about line 15, however, the height changing control is

restarted once the vehicle acceleration Gx has decreased below acceleration value G2. Thus, Shono does not teach or suggest the use of a predetermined acceleration value below acceleration value G2 that is used to trigger a continuation of an earlier initiated leveling action, as is recited in the currently presented claims.

Said differently, Shono does disclose the use of two acceleration values G1 and G2. However, acceleration value G1 is not used in any way that is related to the suspension or restarting of height changing routine 300. Only acceleration value G2 is used for these purposes. As such, there is no teaching or suggestion in Shono of the use of a second acceleration value that is less than value G2 that is used to determine if suitable conditions have returned for the performance of a height changing action. Additionally, due to the nature and operation of Shono and the other art of record, there is no suggestion or motivation for modifying Shono in such a manner.

Furthermore, Shono does not continue the earlier initiated leveling action once the conditions for performing a height changing action have returned, as is recited in the currently presented claims. Rather, the action in Shono that suspends an ongoing height change, which is shown in steps 318-322 of routine 300, thereafter proceeds to step 324 to end the height change routine and return to main program 100. This is described in at least column 7 at about line 19 and at column 8 beginning at about line 66.

According to Applicants reading and understanding of Shono, once height change routine 300 ends the system returns to main program 100. So, method steps 102-120 are again performed before height changing routine 120 is reached and can again be initiated. Thus, a new iteration of the program routine is performed. This cannot be considered a continuation of the previously initiated leveling action, as recited in the presently presented claims. Rather, this is a new vehicle height changing routine based upon new data and/or instructions from steps 102-118. Therefore, Shono does not teach or suggest a step of continuing an earlier initiated leveling action as recited in the pending claims, as presently amended.

Further still, the deficiencies of Shono are not taught or suggested by the other art of record. For at least these reasons, the claims of the subject application, as presented herein, patentably distinguish over the art of record.

**CONCLUSION**

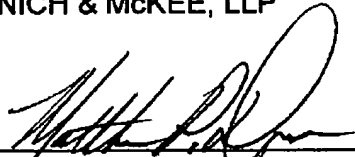
It is respectfully submitted that the foregoing amendments and discussion are fully responsive to the latest Office Action and that the claims are in proper form. Having addressed all of the outstanding objections and/or rejections, the subject application is now believed to be in condition for allowance. Reconsideration of the claims and an early notice of allowability are earnestly solicited.

Alternatively, in the interests of compact prosecution and advancing this application to issue, Applicants respectfully request that the Examiner telephone the undersigned to discuss any of the foregoing and/or to make any suggestions that the Examiner may have to place the case in condition for allowance.

Respectfully submitted,

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MINNICH & MCKEE, LLP

12/28/2005  
Date

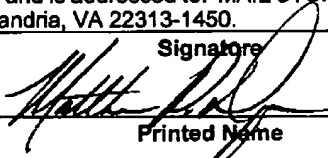
  
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